

Honorable John H. Chun

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ELLIJAH SAM,

Plaintiff,

v.

RENTON SCHOOL DISTRICT,

Defendant.

No. 2:21-cv-01363-JHC

ORDER AFFIRMING THE DECISION
OF THE ADMINISTRATIVE LAW
JUDGE

This matter comes before the Court on pro se Plaintiff's appeal from an administrative law judge's decision. Dkt. ## 4 & 8. The Court has considered the parties' briefing, Dkt. ## 72, 74, 75 & 76, as well as the administrative record from the underlying proceeding, Dkt. # 51. The Court's decision is based solely on the administrative record developed below and the applicable law. Being fully advised, the Court AFFIRMS decision of the Administrative Law Judge and DISMISSES the appeal.

The Court further CONCLUDES as follows:

1. This Court has jurisdiction over this matter pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1415.

2. The ALJ's decision was thorough and careful and warrants this Court's deference under *Capistrano Unified Sch. Dist. v. Wartenberg*, 59 F.3d 884, 891 (9th Cir. 1995) and *Union Sch. Dist. v. Smith*, 15 F.3d 1519, 1524 (9th Cir. 1994).

5. Plaintiff seeks monetary damages against the District as well as unnamed individual District staff. Plaintiff failed to name any individual defendants in this action. Monetary damages are also not appropriate or cognizable under the IDEA. *Witte v. Clark Cty. Sch. Dist.*, 197 F.3d 1271, 1275 (9th Cir. 1999), *overruled on other grounds by Payne v. Peninsula Sch. Dist.*, 653 F.3d 863 (9th Cir. 2011). Plaintiff's request for damages is denied.

7. All of Plaintiff's remaining arguments are rejected and the ALJ's decision on review is upheld in its entirety.

John H. Chun

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